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Attorney for Thomas A. Aceituno, Chapter 7 Trustee

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA
SACRAMENTO DIVISION

IN RE:

KET A. LAM, aka TONY LAM, dba
LAM'S MANDARIN, fdba GRAND
MANDARIN,

DEBTOR.

THOMAS A. ACEITUNO,

Plaintiff,

v.

CALVIN LAM,

Defendant.

U.S. District Court No.:
S:06-cv-02736-WBS-DAD

Bankruptcy Case No.: 05-28088-C-7
Chapter 7

Adversary Proceeding No.: 06-02302-C

STIPULATION AND ORDER
MODIFYING STATUS (PRETRIAL SCHEDULING) ORDER

This Stipulation is entered into by and between the attorneys of record for Thomas A. Aceituno, plaintiff, and Calvin Lam, defendant. Thomas A. Aceituno is represented in this case by Ken Whittall-Scherfee, Esq. Calvin Lam is represented by W. Austin Cooper, Esq.

Counsel for both parties consent to entry of an order modifying the terms of the court's Status (Pretrial Scheduling) Order dated February 13, 2007 in this case, as follows:

1 The parties shall disclose experts and produce reports in accordance with Federal Rule of
2 Civil Procedure 26(a)(2) by no later than **October 15, 2007**.

3 All discovery, including depositions for preservation of testimony, is left open, save and
4 except that it shall be so conducted as to be completed by **October 20, 2007**, for non-expert
5 discovery and **October 27, 2007**, for expert discovery.

6 All motions to compel discovery must be noticed on the Magistrate Judge's calendar in
7 accordance with the local rules of this court and so that such motions may be heard (and any
8 resulting orders obeyed) no later than **November 13, 2007**, for non-expert discovery and **November**
9 **13, 2007**, for expert discovery.

10 All motions, except motions for continuances, temporary restraining orders, or other
11 emergency applications, shall be filed on or before **October 29, 2007**.

12 The Final Pretrial Conference is set for **December 17, 2007**, at **2:00 p.m.** in courtroom 5.

13 Except as expressly modified by the terms of this Stipulation, all other terms and conditions
14 of the court's Status (Pretrial Scheduling) Order remain in full force and effect and unaltered by the
15 terms of this Stipulation.

16 This Stipulation is dated May 9, 2007.

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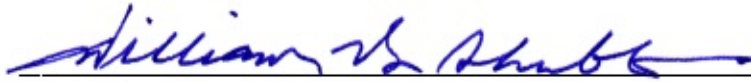
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19 By: /s/ Ken Whittall-Scherfee
20 Ken Whittall-Scherfee, attorney of record for
Thomas A. Aceituno, plaintiff

21 W. AUSTIN COOPER, PC

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23 By: /s/ W. Austin Cooper
24 W. Austin Cooper, attorney for
Calvin Lam, defendant

1 IT IS SO ORDERED.

2 Dated: May 10, 2007

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4 WILLIAM B. SHUBB
5 UNITED STATES DISTRICT JUDGE
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